

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with George Gould on February 7, 2008.

The application has been amended as follows:

In the Claims

Claim 23, line 10 of claim:

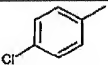
replace "substitutes" with -- substituents -- ;
replace "nitrogen heterocyclcyl" with
-- nitrogen a heterocyclcyl -- .

Claim 25:

line 2 of claim: replace "9, 11, 13" with -- 11, --;

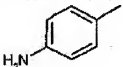
Art Unit: 1626

line 10: delete

9		$\text{CH}_2\text{CH}_2(\text{CO})\text{OCH}_3$
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;

line 12: delete

13		$\text{CH}_2\text{CH}_2(\text{CO})\text{OH}$
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.**Claim 27:**

line 3: replace "64," with -- 64, 65, -- .

Claim 28:

line 1: replace "phenyl." with

-- optionally substituted phenyl. -- .

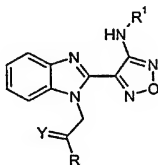
Claim 37, line 10 of claim:

replace "nitrogen" with -- nitrogen a -- .

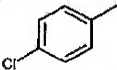
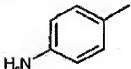
Art Unit: 1626

Add claim 39.

Claim 39 (New). A compound selected from the group consisting of Compound 9 and 13, which compounds are set forth according to the following table:



wherein Y is oxygen

Compound	R	R ¹
9		CH ₂ CH ₂ (CO)OCH ₃
13		CH ₂ CH ₂ (CO)OH

or their pharmaceutically acceptable salts.

Reasons for Allowance

The following is an examiner's statement of reasons.

The Declaration under 37 CFR 1.132 filed January 23, 2008 is sufficient to overcome the rejection of claims 23-28, 30 and 33-36 based upon 35 USC 103 over Harbeson et al. {US 2004/0034037}.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura L. Stockton whose telephone number is

(571) 272-0710. The examiner can normally be reached on Monday-Friday from 6:15 am to 2:45 pm. If the examiner is out of the Office, the examiner's supervisor, Joseph McKane, can be reached on (571) 272-0699.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

The Official fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

/Laura L. Stockton, Ph.D./

Primary Examiner, Art Unit 1626
Group 1620
Technology Center 1600

February 15, 2008